

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (310) 207-3800

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (310) 820-5988

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JUL 28 2003

TECHNOLOGY CENTER 2800

Deliver to: Scheuermann, David W., USPTO Art Group: 2834
 Facsimile No.: (703) 308-7724 / (703) 872-9318 Date: July 28, 2003
 From: Steven Lant, Reg. No. 47,736
 Our Docket No.: 42390P13383 Number of pages 18 including this sheet. D7
 Application No.: 10/038,164 Filing Date: 1/2/2002
 Docket Due Date(s): 8/15/2003 | 10/15/2003

Enclosed are the following documents:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Amendment: <u>Response</u> | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (in triplicate) (____ pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: _____
(____ pgs) w/cover & abstract) | <input type="checkbox"/> Petition for: _____ |
| <input type="checkbox"/> Assignment & Cover Sheet (____ pgs) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u> | <input type="checkbox"/> Reply Brief (____ pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Declaration & POA (____ pgs) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Drawings: ____ sheets, ____ figures | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____ | <input type="checkbox"/> Response to Written Opinion (____ pgs) |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> IDS & PTO/SB/08 (____ pgs) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input type="checkbox"/> Other: _____ | <input checked="" type="checkbox"/> Transmittal Letter |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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 Margaux Rodriguez

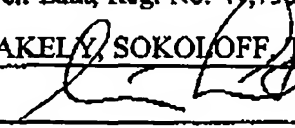
07/28/2003
 Date

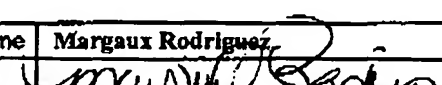
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/038,164
		Filing Date	January 2, 2002
		First Named Inventor	Casey R. Winkel
		Group Art Unit	2834
		Examiner Name	Scheuermann, David W.
Total Number of Pages in This Submission	18	Attorney Docket Number	42390P13383

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Facsimile Transmittal Sheet </div>
Remarks		FAX RECEIVED JUL 28 2003 TECHNOLOGY CENTER 2800

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Steven Laut, Reg. No. 47,736 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 28, 2003

CERTIFICATE OF MAILING/TRANSMISSION	
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.	
Typed or printed name	Margaux Rodriguez
Signature	
Date	July 28, 2003

Based on PTO/SB/21 (05-03) as modified by Blakely, Sokoloff, Taylor & Zafman (06/05/02/2003).
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2003				<i>Complete if Known</i>	
<i>Effective 01/01/2003. Patent fees are subject to annual revision.</i>				Application Number	10/038,164
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.				Filing Date	January 2, 2002
TOTAL AMOUNT OF PAYMENT (\$) 0.00				First Named Inventor	Cassy R. Winkel
				Examiner Name	Scheuermann, David W.
				Group/Art Unit	2834
				Attorney Docket No.	42390P13383

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																		
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account <div style="margin-top: 10px;"> Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP </div> <p>The Commissioner is authorized to: (check all that apply)</p> <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1081</td><td>130</td><td>2061</td><td>65</td><td>Surcharge - late filing fee or cash</td><td></td></tr> <tr><td>1082</td><td>90</td><td>2062</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>2063</td><td>130</td><td>2063</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920 *</td><td>1804</td><td>920 *</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840 *</td><td>1805</td><td>1,840 *</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1261</td><td>110</td><td>2251</td><td>85</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1262</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1263</td><td>590</td><td>2253</td><td>485</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1264</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1265</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1404</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>2451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or release)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>2460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1808</td><td>180</td><td>1808</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (limit number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>1809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>* Reduced by Basic Filing Fee Paid</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1081	130	2061	65	Surcharge - late filing fee or cash		1082	90	2062	25	Surcharge - late provisional filing fee or cover sheet		2063	130	2063	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action		1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action		1261	110	2251	85	Extension for reply within first month		1262	410	2252	205	Extension for reply within second month		1263	590	2253	485	Extension for reply within third month		1264	1,450	2254	725	Extension for reply within fourth month		1265	1,970	2255	985	Extension for reply within fifth month		1404	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	2451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or release)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	2460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1808	180	1808	180	Submission of Information Disclosure Sheet		8021	40	8021	40	Recording each patent assignment per property (limit number of properties)		1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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SUBMITTED BY		<i>Complete (if applicable)</i>	
Name (Print/Type)	Steven Laut	Registration No. (Attorney/Agent)	47,736
Signature		Telephone	(310) 207-3800
		Date	07/28/03

Based on PTO/SB/17 (01-03) as modified by Blakely, Sokoloff, Taylor & Zafman (v/v) 05/02/2003.
 USPTO, Department of Commerce, P.O. Box 1808, Alexandria, VA 22301-1808

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JUL 28 2003

TECHNOLOGY CENTER 2800

Attorney's Docket No.: 042390.P13383

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Casey R. Winkel, et al.

Serial No.: 10/038,164

Filed: January 2, 2002

For: **METHOD AND APPARATUS FOR FAN
REDUNDANCY**

Examiner: Scheuermann, David W.

Art Group: 2834

FAX RECEIVED

JUL 28 2003

TECHNOLOGY CENTER 2800

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Commissioner:

In connection with the Office Action mailed July 15, 2003 regarding the above-referenced application, Applicant respectfully requests consideration of the following remarks below.